

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 18525/04035	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/US 01/ 22936	International filing date (day/month/year) 20/07/2001	(Earliest) Priority Date (day/month/year) 21/07/2000
Applicant OHIO STATE UNIVERSITY		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).
- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing:
- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

2. ☒ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the title,

- ☐ the text is approved as submitted by the applicant.
- ☒ the text has been established by this Authority to read as follows:

METHODS AND INSTRUMENTS FOR REFRACTIVE OPHTHALMIC SURGERY

5. With regard to the abstract,

- ☒ the text is approved as submitted by the applicant.
- ☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the drawings to be published with the abstract is Figure No.

- ☒ as suggested by the applicant.
- ☐ because the applicant failed to suggest a figure.
- ☐ because this figure better characterizes the invention.

1
☐ None of the figures.

A. CLASSIFICATION OF SUBJECT MATTER
 IPC 7 A61F9/01

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61F

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 098 426 A (SKLAR) 24 March 1992 (1992-03-24)	36
A	column 13, line 58 - column 14, line 48 ---	37
X	US 4 941 093 A (MARSHALL) 10 July 1990 (1990-07-10) column 6, paragraph 2 - paragraph 4 ---	37-39
A	WO 93 16631 A (PHOENIX) 2 September 1993 (1993-09-02) ---	
A	US 4 721 379 A (L'ESPERANCE) 26 January 1988 (1988-01-26) column 6, last paragraph ---	
A	US 5 891 131 A (RAJAN) 6 April 1999 (1999-04-06) ---	

☐ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

A document defining the general state of the art which is not considered to be of particular relevance

E earlier document but published on or after the international filing date

L document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

O document referring to an oral disclosure, use, exhibition or other means

P document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

G document member of the same patent family

Date of the actual completion of the international search

7 March 2002

Date of mailing of the international search report

15/03/2002

Name and mailing address of the ISA

 European Patent Office, P.B. 5618 Patentlaan 2
 NL - 2280 HV Rijswijk
 Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
 Fax: (+31-70) 340-3016

Authorized officer

Barton, S

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US 01/22936**Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)**

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: 1-35
because they relate to subject matter not required to be searched by this Authority, namely:
Rule 39.1(iv) PCT - Diagnostic methods practised on the human or animal body
and/or methods for treatment of the human or animal body by surgery
2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such
an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all
searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment
of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report
covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is
restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 5098426	A	24-03-1992	AU 651313 B2	21-07-1994
			AU 5161290 A	05-09-1990
			CA 2009368 A1	06-08-1990
			CN 1045028 A	05-09-1990
			EP 0426779 A1	15-05-1991
			JP 4503913 T	16-07-1992
			JP 3095079 B2	03-10-2000
			WO 9009141 A2	23-08-1990
			US 6099522 A	08-08-2000
US 4941093	A	10-07-1990	AT 64082 T	15-06-1991
			AU 606315 B2	07-02-1991
			AU 6241486 A	19-03-1987
			CA 1279103 A1	15-01-1991
			DE 3679638 D1	11-07-1991
			EP 0224322 A1	03-06-1987
			JP 6181944 A	05-07-1994
			JP 7121268 B	25-12-1995
			JP 6181945 A	05-07-1994
			JP 7121269 B	25-12-1995
			JP 7041048 B	10-05-1995
			JP 62109565 A	20-05-1987
WO 9316631	A	02-09-1993	AU 3781193 A	13-09-1993
			CA 2130999 A1	02-09-1993
			EP 0630205 A1	28-12-1994
			WO 9316631 A1	02-09-1993
			US 5865832 A	02-02-1999
			US 6099522 A	08-08-2000
US 4721379	A	26-01-1988	US 4669466 A	02-06-1987
US 5891131	A	06-04-1999	WO 9418636 A2	18-08-1994